

Remarks

Claims 1-40 are rejected under 35 U.S.C. 102(e) as anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over Li et al (US 6,067,568).

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1. Rejection of claims 1-40 under 35 U.S.C. 102(e) and 35 U.S.C. 103(a):

Claims 1-40 are rejected under 35 U.S.C. 102(e) as anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over Li et al (US 6,067,568) for reasons of record, as recited on pages 2-7 of the above-indicated Office action.

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Response:

The applicant wishes to show how each of the independent claims 1, 11, 21, 31, and 36 are distinct from the Li et al. (hereafter referred to as Li) patent.

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First of all, each of the independent claims of the instant application contains the limitation of "a virtual POST (power-on self test) daemon **embedded in the basic input/output system** for processing signals of the computer and receiving controls of the remote console".

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A table comparing the location, function, and accessibility of the daemon of the instant application and Li's agent is provided below for convenience.

| | Instant Application | Li et al. ('568) |
|----------------------|---|--|
| Name | Virtual POST daemon | Agent |
| Location | Embedded in the BIOS | Icons on a computer screen |
| Function | Provides network function for the computer | Assists user in interacting with a particular service available on the computer system |
| Accessibility | Accessed through the BIOS when the computer is powered on | Selected through a form using a graphical user interface |

5 The main difference between the claimed invention and the Li reference is that in the claimed invention the virtual POST daemon of the claimed invention is **embedded** in the BIOS and provides a network function for the computer when the computer is powered on. Therefore, the virtual POST daemon allows the computer to communicate with the remote console through the network immediately after the computer is powered on.

10 On the other hand, the Li patent does not teach or suggest that their agent is embedded in the BIOS. Li states in col.8, lines 52-54 that "An agent (represented by a particular icon on the screen) assists a user in interacting with a particular service available on the computer system."

15 Li's summary of the invention states the purpose of the agent in col.2, lines 52-54. In these lines, Li states that "...an agent registry is queried to determine available services. Then these available services copy default settings on to a new user form."

20 In addition, Li's agent works in a completely different way than the agent described in the independent claims of the instant application. The daemon of the instant application starts automatically when the BIOS is executed since it is embedded in the BIOS. On the other hand, Li's agent is a graphical user interface that resides on the computer's desktop and is visible from the desktop. Moreover, the computer system uses many different agents that provide different functions.
25 Li explains the graphical nature of his agents in col.6, lines 12-67. Li's agents are represented by graphical icons that can be triggered when the user double-clicks on the icons. An illustration of this is shown in Fig.5 of the Li patent.

30 Therefore, the agents taught by Li are not enabled automatically when the computer is powered on. Rather, the user activates the agents using a graphical user interface.

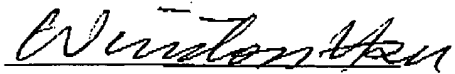
For these reasons, the independent claims of the present invention are not anticipated or obvious over Li since Li does not teach embedding a daemon in the BIOS of a computer for activating the daemon when the computer is powered on.

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Claims 2-10, 12-20, 22-30, 32-35, and 37-40 are dependent on independent claims 1, 11, 21, 31, and 36, respectively, and should be allowed if the independent claims are allowed. Reconsideration of claims 1-40 is respectfully requested.

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Respectfully submitted,



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